

**City of Taylorsville  
REDEVELOPMENT AGENCY  
OF TAYLORSVILLE CITY MEETING  
Minutes**

**Wednesday, October 17, 2007  
Council Chambers  
2600 West Taylorsville Blvd., Room No. 140  
Taylorsville, Utah 84118**

**Attendance:**

Mayor Russ Wall, Chief Executive Officer

**Board Members:**

Chairman Jerry Rechtenbach  
Board Member Morris Pratt  
Board Member Lynn Handy  
Board Member Les Matsumura

**City Staff:**

John Inch Morgan, Treasurer  
John Brems, Taylorsville City Attorney  
Cheryl Peacock Cottle, Secretary  
Jessica Springer, City Council Coordinator  
Mark McGrath, Community Development Director  
Jean Ashby, Economic Development Assistant

**Excused:** Board Member Bud Catlin

**Others:** Robert Springmeyer, Jon Springmeyer, Randall Feil, Don Adams, John Gidney, Gilbert Blake, Kristie Overson, Brent Overson, Raili Jacquet, Dan Tippetts, Joseph Beste, Richard Rappaport, Frank Christensen, Greg Strong, Becky Beck

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**1. Welcome – Chairperson Jerry Rechtenbach**

20:21:58 Chairman Jerry Rechtenbach called the Redevelopment Agency of Taylorsville City Board Meeting to order at 8:22 p.m. and welcomed those in attendance. Secretary Cheryl Peacock Cottle conducted a Roll Call Vote, wherein all Board Members were present, except Board Member Bud Catlin, who was excused.

20:23:08 Chairman Rechtenbach described the general purpose of the Board Meeting, which is to consider an area earmarked for potential redevelopment, to hear findings of research conducted, and to receive testimony regarding the proposal.

**2. Presentation of Information Regarding the Proposed 5400 South and Bangerter Highway Urban Renewal Project Area (the Project Area), and General Information Concerning the Procedures, Requirements and Reasons for Creating the Project Area - John Morgan, Randall Feil (Special Counsel to the Agency) and Bob Springmeyer (Consultant to the Agency)**

20:23:41 Taylorsville City Administrator John Inch Morgan recognized Randall Feil, Special Legal Counsel to the Redevelopment Agency, Bob and Jon Springmeyer, Consultants to the Agency, and Don Adams, former Taylorsville Economic Development Director.

20:24:13 Attorney Randall Feil stated that his office has been providing representation for redevelopment agencies in Utah for 25 years. He described reasons for considering redevelopment in certain areas. Mr. Feil referenced the Redevelopment Law (now called the Community Development and Renewal Agencies Act) that was implemented about 30 years ago by Utah legislature. He cited requirements for creating redevelopment project areas. Mr. Feil reviewed tax increment funding tools that may be used to redevelop certain areas. He stated that particular standards must be applied to determine blight in a project area. He listed the procedures that are followed to qualify a project blight area.

20:36:10 Bob Springmeyer stated that he has been contracted by the Redevelopment Agency of Taylorsville to conduct a blight survey. He illustrated the 5400 South Bangerter Highway Urban Renewal Survey Area and referenced the Utah Urban Renewal Act. He described the process of determining factors which contribute to blight. Mr. Springmeyer noted that the term "blight" is not intended to decrease property values, but is the required legal term. He cited current building standards and described methods of conducting surveys of property from public streets and public records, rather than by individual inspection. Mr. Springmeyer said that property values generally increase within blight areas.

**3. Presentation of Summary Statement, Including Purposes of Blight Hearing and Proposed Use of Eminent Domain, if any; Receipt of Written Objections of Owners of Property within the Proposed Project Area, if any - Randall Feil**

20:42:24 Randall Feil read a summary statement outlining the purpose of this public hearing being conducted by the Redevelopment Agency of Taylorsville, pursuant to notice, regarding the proposed 5400 South and Bangerter Highway Urban Renewal Project Area.

20:42:44 Mr. Feil's prepared statement is attached to these minutes and incorporated therein as part of this record.

20:45:30 It was confirmed that no written objections have been received by the Board, the Secretary, or the Treasurer prior to this meeting.

20:46:06 At this time, a written objection from Mr. Jeffry Nielsen was submitted to the Agency Secretary by Mr. Richard Rappaport. Copies of the submittal were provided to the Board.

20:47:19 Clarification was made by Mr. Feil regarding specifics of the agenda.

**4. Hearing, Blight Hearing and Presentation of Evidence of Existence or Nonexistence of Blight Within the Proposed 5400 South and Bangerter Highway Urban Renewal Project Area:**

**A. Presentation of blight study and of evidence in support of a finding of blight within the proposed 5400 South and Bangerter Highway Urban Renewal Project Area - *Bob Springmeyer, Bonneville Research***

20:47:42 Bob Springmeyer reviewed requirements for conducting the survey and described legislative blight factors that must be found to determine blight. He noted that the determination is a cumulative decision and is not based on one single factor.

20:51:43 Jon Springmeyer reviewed specific findings within the study for the proposed 5400 South and Bangerter Highway Urban Renewal Project. He highlighted certain blight factors on individual parcels within the project area. Mr. Jon Springmeyer noted that, based on percentages, the general area meets conditions of blight.

20:57:23 Chairman Rechtenbach called for clarification on who was involved in making blight determinations.

20:57:53 Jon Springmeyer listed members of the Community Action Team that was formed and utilized. Team members who conducted the blight survey are: Consultants Bob and Jon Springmeyer, representatives from the Salt Lake County Health Department, staff from Taylorsville City's Building and Zoning Department, and representatives from the Taylorsville Police Department and the Unified Fire Authority.

20:59:40 Jon Springmeyer cited figures indicating excessive vacancies within the project area. He reviewed comparables on evidence of criminal activity between the project area and the Family Center in Taylorsville.

21:02:21 Jon Springmeyer summarized findings of the Study, as follows:

The proposed Taylorsville 5400 South and Bangerter Highway Urban Renewal Project Area contains 58.71 acres of private real property divided into 76 parcels. The proposed Taylorsville 5400 South and Bangerter Highway Urban Renewal Project Area does meet the following tests:

1. The proposed project Area consists predominantly of non-greenfield parcels.
2. The proposed Project Area is currently zoned for urban purposes and generally served by utilities; zoned for urban purposes – Restricted to certain uses and development, such as industrial, commercial and residential.
3. At least 50% of the parcels within the proposed Project Area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses.
4. At least 50% of the parcels within the proposed Project Area are affected by at least one of the factors as discussed herein, but not necessarily the same factor.
5. The affected parcels comprise at least 66% of the acreage of the proposed project area.
6. Sixty seven (67) of the total of seventy six (76) or 88% of the number of private parcels, for a total of 54.96 acres or 94% of the total proposed Taylorsville 5400 South and Bangerter Highway Urban Renewal Project Area exhibit four or more of the legislated blight factors.

Jon Springmeyer stated that the proposed Taylorsville 5400 South and Bangerter Highway Urban Renewal Project Area is a blighted area, the renewal of which is necessary to effectuate a public purpose. Evidence of blight conditions or indicators were found in the proposed project area sufficient to be determined to be present area-wide and therefore leads to the cumulative conclusion of blighted conditions in the Taylorsville 5400 South and Bangerter Highway Urban Renewal Project Area.

21:04:02 Mr. Jon Springmeyer reviewed Summary Maps of the parcels.

21:05:17 Mr. Feil noted that there is no provision in the law for determining whether a particular property has blight, but determination is made on the area as a whole.

**B. Examination and cross-examination of witnesses providing evidence of blight, by record owners of property located within the proposed 5400 South and Bangerter Highway Urban Renewal Project Area or by the record property owner representatives**

21:06:23 Frank Christensen, representing property # 64 where the tenant is Arctic Circle, questioned Mr. Feil on the determination of eminent domain.

21:08:25 Mr. Feil gave explanation on the issue of eminent domain. He described strict restrictions on the power of eminent domain.

It was clarified that there is no particular piece of property that is likely to be acquired under eminent domain.

21:12:45 Mr. Christensen asked Jon Springmeyer about the impact of the 2003 building code that was applied.

21:13:35 Jon Springmeyer explained that the statute requires use of the current building code. He cited other factors that were used in the blight determination. He noted that conditions of blight would still have been met, overall, even without using the updated building code.

21:18:04 Mr. Christensen asked the Board whether there is a particular project driving this project.

21:19:08 Chairman Rechtenbach reviewed history of the Redevelopment Agency Board and stated that there are no fixed projects in mind.

21:20:40 Mr. Christensen stated that he is in favor of improvements in the area.

21:21:06 Mr. Bob Springmeyer reiterated that this is a City driven project and not a development-driven project. He stated that the project area was targeted because of its high potential.

21:22:16 Gilbert Blake asked whether the City of Taylorsville decided to proceed with this project in order to generate revenue.

21:24:00 Chairman Rechtenbach commented on the City's goals for redevelopment.

21:24:46 Bob Springmeyer explained that once the project area is established, any inflated revenue that is generated must be expended in the redevelopment project area and does not go into the City's general fund. He noted that this is a benefit to being included in the project area.

21:27:26 Mr. Feil clarified that the Redevelopment Agency of Taylorsville is an agency of the State and is a separate entity from the City of Taylorsville. He said that establishing a finding of blight does not automatically entitle use of tax increment tools. Permission to go forward must still be gained from all taxing entities.

21:29:01 Joseph Beste of 21<sup>st</sup> Street Investors, representing three parcels in the project area, submitted a written comment to the Agency Secretary and copies were provided to the Board and incorporated into the record of the meeting.

21:31:47 Richard Rappaport, an Attorney representing Bank of the West property owners Jeffrey and Karen Nielsen, stated that they do not want to impede City progress, but do not feel that their property meets the conditions of blight. He requested that their property be excluded from the project area. Mr. Rappaport stated that he takes exception to specific findings of blight on the property he represents. He noted that his client is trying to sell the property and feels the blight finding may have a negative effect on a potential sale.

21:38:22 Board Member Lynn Handy disclosed that he works for Bank of the West.

**C. Presentation by record owners of property located within the proposed 5400 South and Bangerter Highway Urban Renewal Project Area or by the record property owner representatives, of evidence and testimony, including expert testimony, concerning the existence or nonexistence of blight**

21:38:42 Chairman Rechtenbach invited any property owners to present evidence or testimony at this time. There were none who came forward.

**D. Presentations by other interested persons or their representatives, including expert testimony, concerning the existence or nonexistence of blight**

21:39:24 There were no persons wishing to testify.

**E. Public input regarding the proposed 5400 South and Bangerter Highway Urban Renewal Project Area, and presentation of oral objections of owners of property within the proposed Project Area, if any**

21:39:54 Chairman Rechtenbach called for public input or comment at this time.

21:40:19 Gilbert Blake stated that he is a general contractor. He commented on various interpretations of the new building code.

21:41:48 Becky Beck stated that she and her husband are under contract to purchase parcel No. 45, which is the Superior Car Wash. She asked about the potential timeline for the project, and expressed concern over any negative impact that may affect her new business.

21:43:29 Chairman Rechtenbach noted that, as there is no specific development driving the project, there is no particular timeframe.

21:44:03 Mr. Jon Springmeyer and Mr. Feil made clarification on whose responsibility it is to remedy findings of blight.

#### **5. Motion to Close Public Hearing**

Board Member Morris Pratt **MOVED** to close the public hearing. Board Member Les Matsumura **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Pratt-yes, Catlin-excused, and Handy-yes. **All Board Members present voted in favor and the motion passed unanimously.**

#### **6. Summary, if needed, Agency Board Question Period, and Consideration by Agency Board of all Objections Received, the Issue of Blight and of the Evidence and Information Relating to the Existence or Nonexistence of Blight**

21:45:55 Mr. Feil noted that the Agency Board is required to consider the issues that have been presented to make sure they are fully informed before proceeding.

21:46:28 It was the consensus of the Board that issues have been sufficiently covered throughout the meeting to proceed with consideration.

#### **7. Consideration and Adoption of Resolution No. RDA 07-02 Making a Finding Regarding the Existence of Blight in the Proposed 5400 South and Bangerter Highway Urban Renewal Project Area**

21:47:16 Mr. Feil gave clarification that the resolution should only be adopted if the Board is comfortable that the blight findings are supported.

21:49:58 Chairman Rechtenbach commented on the purpose of the findings and stated that he is comfortable with the findings. He called for further discussion from the Board.

21:50:24 Mr. Morgan reiterated the Redevelopment Agency's desire to develop partnerships with businesses. He noted the importance of revitalizing businesses in order to benefit the City.

21:52:34 Board Member Les Matsumura **MOVED** to approve Resolution No. RDA 07-02 – Making a Finding Regarding the Existence of Blight in the Proposed 5400 South and Bangerter Highway Urban Renewal Project Area. Board Member Lynn Handy **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Pratt-yes, Catlin-excused, and Handy-yes. **All Board Members present voted in favor and the motion passed unanimously.**

8. **Consideration and Adoption of Resolution No. RDA 07-03 Selecting One or More Redevelopment Project Areas Comprising Part or All of the Survey Area, and Authorizing Preparation of the Draft 5400 South and Bangerter Highway Urban Renewal Project Area Plan and Related Budget**

21:53:33 Mr. Feil provided explanation on the subject resolution which is required by legislation in order to proceed to the next phase of the redevelopment process. He noted that Staff has recommended going forward with designating the entire project area. He referenced the legal description contained in Exhibit A, which has been amended.

21:55:59 Board Member Morris Pratt **MOVED** to approve Resolution No. RDA 07-03 – Selecting One or More Redevelopment Project Areas Comprising Part or All of the Survey Area, and Authorizing Preparation of the Draft 5400 South and Bangerter Highway Urban Renewal Project Area Plan and Related Budget. Board Member Lynn Handy **SECONDED** the motion. Mr. Pratt clarified that his motion includes use of the new legal description. Chairman Rechtenbach called for discussion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Pratt-yes, Catlin-excused, and Handy-yes. **All Board Members present voted in favor and the motion passed unanimously.**

9. **Consideration of Setting a Date and Time for the Hearing on the Project Area Plan and Project Area Budget**

21:57:14 Randall Feil stated that at the time of agenda preparation, it was thought that a hearing could be scheduled; however, the presentation to the Granite School Board is not scheduled until November 27<sup>th</sup>. It was noted that the Taxing Entity Committee should meet before the Hearing on the Project Area. Although it was acknowledged that the schedule may be tight, a tentative date for the hearing on the Project Area Plan and Project Area Budget was set for Wednesday, December 5, 2007.

**10. Other Agency Business -  
Approval of Minutes of July 11, 2007 RDA Meeting**

22:00:37 Board Member Les Matsumura **MOVED** to approve the minutes from the July 11, 2007 Redevelopment Agency of Taylorsville City Meeting. Board Member Lynn Handy **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Pratt-yes, Catlin-excused, and Handy-yes. **All Board Members present voted in favor and the motion passed unanimously.**

**11. Motion to Adjourn Redevelopment Agency Meeting**

22:01:16 Board Member Morris Pratt **MOVED** to adjourn the Redevelopment Agency of Taylorsville City Meeting. Board Member Les Matsumura **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Pratt-yes, Catlin-excused, and Handy-yes. **All Board Members present voted in favor and the motion passed unanimously.** The meeting was adjourned at 10:01 p.m.

  
Cheryl Peacock Cottle, Secretary

Minutes approved: RDA 12-12-07

*Minutes Prepared by: Cheryl Peacock Cottle, Secretary*